1 DENNIS A. BARLOW, CITY ATTORNEY CITY ATTORNEY State Bar No. 63849 2 CAROL A. HUMISTION, SR. ASST. CITY ATTY. 2010 DEC 20 PM 4: 12 State Bar No. 115592 3 275 East Olive Avenue P. O. Box 6459 Burbank, CA 91510 4 Tel: 818-238-5707 Fax: 818-238-5724 5 Kristin A. Pelletier, (SBN 155378) E-mail: kpelletier@bwslaw.com 6 BURKE, WILLIAMS & SORENSEN, LLP 7 444 South Flower Street, Suite 2400 Los Angeles, CA 90071-2953 8 Tel: 213.236.0600 Fax: 213.236.2700 9 Attorneys for Defendant City of Burbank 10 SUPERIOR COURT OF THE STATE OF CALIFORNIA 11 COUNTY OF LOS ANGELES 12 13 CHRISTOPHER LEE DUNN, Case No. BC 417928 14 Plaintiff, REQUEST TO TAKE JUDICIAL NOTICE 15 RE DEFENDANT'S PENDING MOTION 16 FOR SUMMARY JUDGMENT OR, IN THE v. **ALTERNATIVE, SUMMARY** 17 BURBANK POLICE DEPARTMENT, ADJUDICATION CITY OF BURBANK, and DOES 1 Through 100, Inclusive, 18 Defendants. 19 20 21 Pursuant to California Evidence Code § 452, the City of Burbank hereby requests that the 22 Court take Judicial Notice of the following declarations filed in this case on August 19, 2010 in 23 opposition to plaintiff's Motion for Discovery of Peace Officer Personnel Records: 24 1. Declaration of Kristin Pelletier and Exhibits thereto, dated August 9, 2010; 25 Declaration of Gerardo Misquez dated June 24, 2010; and 2. 26 /// 27 /// 28 LA #4834-6033-5880 v1 - 1 -

BURKE, WILLIAMS & SORENSEN, LLP
ATTORNEYS AT LAW
LOS ANGELES

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1	3. Declaration of Tho	r Merich dated .	June 24, 2010.		
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3	Dated: December 17, 2010		Burke, Williams & Kristin A. Pelletie	& Sorensen,	LLP
4			Kristin A. Pelletie	r	
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6		:	By: Visit A Pall		W
7			Kristin A. Pell Attorneys for City of Burbar	Defendant	
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1 **PROOF OF SERVICE BY MAIL** 2 I am a citizen of the United States and employed in Los Angeles County, California. I am 3 over the age of eighteen years and not a party to the within-entitled action. My business address 4 is 444 South Flower Street, Suite 2400, Los Angeles, California 90071-2953. I am readily 5 familiar with this firm's practice for collection and processing of correspondence for mailing with 6 the United States Postal Service. On December 17, 2010, I placed with this firm at the above 7 address for deposit with the United States Postal Service a true and correct copy of the within 8 document(s): 9 REQUEST TO TAKE JUDICIAL NOTICE RE DEFENDANT'S PENDING MOTION FOR SUMMARY JUDGMENT OR, IN THE 10 ALTERNATIVE, SUMMARY ADJUDICATION 11 in a sealed envelope, postage fully paid, addressed as follows: 12 Carol A. Humiston, Esq. 13 Senior Assistant Attorney Office of the City Attorney 14 275 East Olive Avenue Burbank, CA 91510-6459 15 Fax: (818) 238-5724 16 Following ordinary business practices, the envelope was sealed and placed for collection 17 and mailing on this date, and would, in the ordinary course of business, be deposited with the United States Postal Service on this date. 18 I declare under penalty of perjury under the laws of the State of California that the above 19 is true and correct. 20 Executed on December 17, 2010, at Los Angeles, California. 21 22 23 ALICE CHEUNG 24 25

LA #4827-3373-9528 v1

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PROOF OF SERVICE BY PERSONAL DELIVERY

18 and not a party to the within action. My business address is 1511 W. Beverly Blvd., Los

Angeles, CA 90026. On December 17, 2010, I personally served the following document

I am employed in the County of Los Angeles, State of California and am over the age of

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by delivering copies thereof to:

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LA #4841-5131-9044 v1

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REQUEST TO TAKE JUDICIAL NOTICE RE DEFENDANT'S PENDING MOTION FOR SUMMARY JUDGMENT OR, IN THE ALTERNATIVE, SUMMARY ADJUDICATION

Solomon E. Gresen, Esq. Law Offices of Rheuban & Gresen 15910 Ventura Boulevard, Suite 1610 Encino, CA 91436

I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

Executed on December 17, 2010, at Los Angeles, California.